

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JOSEPH SVIRBLEY, :  
Plaintiff, : 1:17-cv-2292  
: :  
v. : Hon. John E. Jones III  
:  
SUPT. THOMAS M. MCGINLEY, :  
(CO-I) JOHN DOE, :  
Defendants. :

**ORDER**

**January 31, 2018**

NOW THEREFORE, for the reasons set forth in the Court's Memorandum of the same date, it is hereby **ORDERED** that:

1. The motion (Doc. 2) to proceed *in forma pauperis* is GRANTED.
2. The Clerk of Court is directed to ISSUE the Administrative Order to the Warden at Plaintiff's present place of incarceration.
3. The complaint is DISMISSED pursuant to 28 U.S.C. §1915(e)(2)(B)(ii).
4. The Clerk of Court is directed to CLOSE this case.
5. Any appeal from this Order is deemed frivolous and not in good faith. *See* 28 U.S.C. § 1915(a)(3).

s/ John E. Jones III  
John E. Jones III  
United States District Judge